### **Kansas Noxious Weed Enforcement & Invasive Weed Update**

Jeff Vogel Plant Protection and Weed Control



## **Goal of the Noxious Weed Law** K.S.A. 2-1314 says "Control the spread of and to eradicate all weeds declared by legislative action to be noxious" Field hindweed -1st noxious weed

#### **Notification**

- K.S.A. 2-1331
  - "When a county weed supervisor has knowledge that any land in the supervisor's county is infested, in any current year, with any noxious weed, the supervisor shall give notice, by publication of a general notice in the official county newspaper pursuant to sub section (b) or an official notice by mail, of such infestation to the person, association of persons, governmental agency, corporation or agent thereof, who owns the land.'



10/21/2010

### **Notice Options**

- General
- Warning (Official)
- Legal





#### **General Notice**

- K.S.A. 2-1331 (b)
  - KDA notifies counties before March 1
  - County may publish notice in March
  - Does not have to be in the legal notice section of the paper
  - Does have to be in the official county news
  - Recommended to publish 3 times
  - Remains in effect until March 31 of the following year

10/21/2010



#### **KDA General Notice Example**

GENERAL NOTICE TO CONTROL NOXIOUS WEEDS

The Kansas Noxious Weed Law K.S.A. 2-1314 et seq requires all persons who own or supervise land in Kansas to control and eradicate all weeds declared noxious by legislative action. The weeds declared noxious are field brindweed, make thistle, sericae lespedeaz, alphoson grass, bur ragweed. Canada thistle, leafy spurge, hoary cress, quack grass, Russian knapweed, kudzu and pignut.

Gandar thistle, leafy spurge, hoary cress, quack grass, Russian knapweed, kudzu and pignut.

Gandor isidre a Gounty Option Noxious Weedlew declared noxious by the Board of County, Commissioners of County, Commissioners of County, Notice is hereby given pursuant to the Kansass Noxious Weedle Law to every person who owns or supervises land in County that noxious weeds growing or found on such land shall be controlled and eradicated. Control is defined as preventing the production of viable seed and the vegetative spread of the plant.

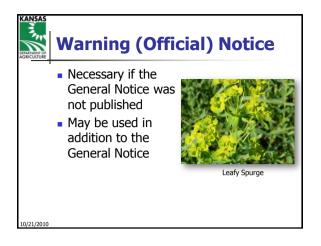
Failure to observe this notice may result in the County.

1. Serving a legal notice requiring control of the noxious weeds within a minimum of five days.

Failure to control the noxious weeds within the time period allowed may result in the county treating the noxious weeds at the landowners expense and placing a lien on the property if the bill is not paid within 30 days or.

2. Filing criminal charges for non compliance. Conviction for non compliance may result in a fine of \$100 per day of non-compliance with a maximum fine of \$1500.

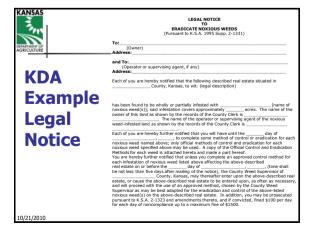
The public is abo hereby notified that it is a violation of the Kansas Noxious Weed Law to barter, sell or give away intested nursery stock or livestock feed unless the feed is fed on the farm where grown or sold to a commercial processor that will destroy the viability of the noxious weeds eded. Custom harvesting machines must be lebeled with a label provided by the Kansas Dept. of Agriculture and must be free of all weed seed and little when entering the State and when leaving a field infested with noxious weeds.

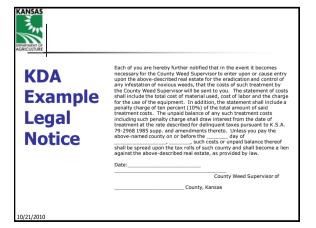


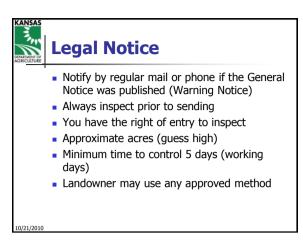










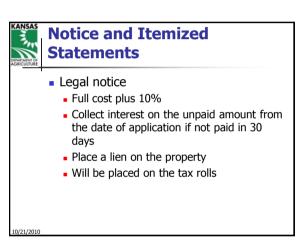




# Still No Control After Legal Notice?

- Counties can spray or hire an applicator
- Always inspect before application
- Send an itemized statement with request for payment in 30 days
- If not paid, place the entire amount of the bill as a lien against the property
- Present to the Co. Clerk to place on the tax rolls for the property

10/21/2010



DEPARTMENT OF AGRICULTURE	(Pursuantto K.S.A. 2-1332)			
	то:	Owner of Record		
	-	Address of Record		
	PROPERTY			
· '		all in	County, Kansas	
	TO WHOM THIS MAY CONCERN:			
	You are hereby notified that pursuant to K.S.A. 2-1332 following legal notice as required by statute, I did enter or cause to be entered the above-described property on (Date of Treatment) (Oate of Treatment)			
	STATEMENT			
	The itemized costs of treatment for the above described property were as follows:			
	Material S PLEASE MAKE P	AYMENT WITHIN 30 DAYS	TO:	
	Labor \$			
	Equipment \$			
	Total Cost S			
	Statutory 10% Penalty \$			
	Total You Now Owe §			
	Please take notice that the unpaid balance of treatment costs and penalty charge shall draw interest at the rate of 12% per annum from the date of treatment. (Rate set by K.S.A. 79-2004).			
10/21/2010	Date	County Weed	Supervisor	

CHARACTURE OF AGRICULTURE	
	CERTIFICATE OF NOTIFICATION
	On thisday of, 20, I hereby certify that the original of the above and foregoing <u>Notice and Remized Statement</u> was sent certified in the United States mail, postage prepaid and return receipt requested, addressed as follows:
	(Name) (Address)
	with one copy each hand-delivered to:
	County ClerkCounty, Kansas Register of DeedsCounty, Kansas
	all as required by K.S.A. 2-1332 a copy of which is reproduced on the back of this document.
	County Weed Supervisor
10/21/2010	

